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UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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U.S. DISTRICT COURT  
DISTRICT OF MASS.

PEIERLS FOUNDATION INC. and )  
E. JEFFREY PEIERLS, individually )  
and as trustee for Under Deed Ethel F. )  
Peierls for Brian E. Peierls, Under Deed )  
Ethel F. Peierls for E. Jeffrey Peierls, Under )  
Deed Edgar S. Peierls for Ethel F. Peierls et al., )  
Under Deed Jennie N. Peierls for Brian E. )  
Peierls, Under Deed Jennie N. Peierls for )  
E. Jeffrey Peierls, Under Will Jennie N. )  
Peierls for Brian E. Peierls, and Under )  
Will Jennie N. Peierls for E. Jeffrey Peierls )

Plaintiffs, )

v. )

JAMES E. RURKA, )  
MARK SKALETSKY, )  
PAUL J. MELLETT, )  
RICHARD ALDRICH, )  
KATE BINGHAM, )  
CHARLES W. NEWHALL III, )  
DAVID SCHNELL, )  
JOHN P. WALKER, )

Defendants. )

FILING FEE PAID: 53421  
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AMOUNT \$ 100.00  
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DATE 1/7/04

Civil Action No. 03-12213 EFH

**Motion for Admission of Susan Bernhardt and James N. Phillips Pro Hac Vice**

David E. Marder, a member in good standing of the bar of this Court, respectfully moves for the admission of Susan Bernhardt and James N. Phillips *Pro Hac Vice*. Filed herewith are Declarations establishing that: 1) Ms. Bernhardt and Mr. Phillips are members of the bar of a United States District Court or the bar of the highest court of a state; 2) Ms. Bernhardt and Mr. Phillips are in good standing in every jurisdiction where they have been admitted to practice; 3) there are no disciplinary proceedings pending against Ms. Bernhardt or Mr. Phillips as members

of the bar in any jurisdiction; and 4) Ms. Bernhardt and Mr. Phillips are familiar with the Local Rules for the United States District Court for the District of Massachusetts.

Respectfully submitted,



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David E. Marder, Esq. (BBO #552485)  
Attorney for Plaintiffs  
ROBINS, KAPLAN, MILLER & CIRESI L.L.P.  
111 Huntington Street, Suite 1300  
Boston, MA 02199  
(617) 267-2300

Dated: January 7, 2004

**Local Rule 7.1 Certificate**

I have not yet conferred with opposing counsel in an attempt to resolve or narrow the issues presented by this motion because I am unaware of any counsel having been retained by the Defendants.



David E. Marder

**Certificate of Service**

I hereby certify that I have mailed the foregoing document on January 7, 2004 to the following:

Mark Skaletsky  
25 Winthrop Road  
Brookline, MA 02445-4527

David Schnell  
Prospect Venture Partners  
435 Tasso Street, Suite 200  
Palo Alto, CA 94301

James E. Rurka  
3 Carriage Court  
Menlo Park, CA 94025-6626

Kate Bingham  
71 Kingsway  
London WC2B 6ST  
United Kingdom

Paul J. Mellett  
500 Arsenal Street  
Watertown, MA 02472-2806

Charles W. Newhall, III  
2803 Caves Road  
Owings Mills, MD 21117

John P. Walker  
Bayhill Therapeutics, Inc.  
3430 W. Bayshore Road  
Palo Alto, CA 94303

Richard Aldrich  
RA Capital Associates  
245 First St., 18<sup>th</sup> Floor  
Cambridge, MA 02142



David E. Marder